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Remarks

The Office Action dated October 21, 2004 has been carefully reviewed and the foregoing amendments have been made as a consequence thereof.

Claims 1-5 and 7-29 are now pending in this application. Claims 1-5 and 7-29 stand rejected.

The rejection of Claims 1, 3-5, 7-11, 22, 24, and 26-28 under 35 U.S.C. § 102(b) as being anticipated by Koether (US 5,875,430) is respectfully traversed.

Koether discloses a bi-directional communication network which provides real-time computer-aided diagnostics, asset history, accounting records, maintenance records and energy management. The network comprises kitchen base stations (150), kitchen appliances (110) communicating through wireless means with a corresponding base station, and a control center (170) including a repair and accounting database (190) that permits exchange of information relating to repair, accounting and billing. Each base station may interrogate a corresponding controller (140) or the controller may request to transmit diagnostic information relating to the operating conditions of kitchen appliances, which diagnostic information may be immediately communicated to the control center. Communication is provided between kitchen base stations and the control center through communication links (175) of a data network (180). The control center may be attended by an operator through terminals (185). In other words, Koether describes a communication network which provides remote communication between a control center and respective appliances through a base station that is located locally with respect to the appliances.

Claim 1 recites a method of performing service diagnostics on appliances, wherein the method includes "connecting a diagnostic interface within a building housing the appliance to a local area appliance network, wherein the diagnostic interface includes a display ...accessing an

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appliance in the local area appliance network... performing service diagnosis of the appliance through said diagnostic interface over the local area appliance network using service functions in the appliance."

Koether does not describe or suggest a method of performing service diagnostics on appliances as recited in Claim 1. More particularly, Koether does not describe or suggest a method including connecting a diagnostic interface within a building housing an appliance to a local area appliance network, wherein the diagnostic interface includes a display. Rather, Koether describes a communication network which provides remote communication between a control center and respective appliances through a base station that is located locally with respect to the appliances. Accordingly, for at least the reasons above, Claim 1 is respectfully submitted to be patentable over Koether.

Claims 3-5 and 7-11 depend from the independent Claim 1. When the recitations of Claims 3-5 and 7-11 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 3-5 and 7-11 likewise are patentable over Koether.

Claim 22 recites a diagnostic system for providing access to service diagnostics on an appliance, wherein the system includes "a local area appliance network coupled to the appliance...a diagnostic interface configured to be connected to said local area appliance network within a building housing the appliance, said diagnostic interface comprising a display, wherein said diagnostic interface facilitates accepting service diagnostics commands destined for the appliance...a dedicated appliance controller for receiving and executing the diagnostics commands."

Koether does not describe or suggest a diagnostic system for providing access to service diagnostics on an appliance as recited in Claim 22. More specifically, Koether does not describe or suggest a diagnostic interface configured to be connected to a local area appliance network within a building housing an appliance. Moreover, Koether does not describe or suggest a

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diagnostic interface including a display, wherein the diagnostic interface facilitates accepting service diagnostics commands destined for the appliance. Rather, Koether describes a communication network which provides remote communication between a control center and respective appliances, and does not describe or suggest a diagnostic interface configured to be connected to a local area appliance network within a building housing the appliance. Moreover, Koether does not describe or suggest a diagnostic interface including a display. Accordingly, for at least the reasons above, Claim 22 is submitted to be patentable over Koether.

Claims 24 and 26-28 depend from the independent Claim 22. When the recitations of Claims 24 and 26-28 are considered in combination with the recitations of Claim 22, Applicants submit that dependent Claims 24 and 26-28 likewise are patentable over Koether.

For at least the reasons set forth above, Applicants respectfully request that the 102 rejection of Claims 1, 3-5, 7-11, 22, 24, and 26-28 be withdrawn.

The rejection of Claims 2, 12-21, 23, 25, and 29 under 35 U.S.C. § 103(a) as being unpatentable over US patent 5,875,430A to Koether is respectfully traversed.

Koether is described above.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, the mere assertion that it would have been obvious to one of ordinary skill in the art to have modified Koether to obtain the claimed recitations of the present invention does not support a prima facie obvious rejection. Rather, each allegation of what would have been an obvious matter of design choice must always be supported by citation to some reference work recognized as standard in the pertinent art and the Applicants given the opportunity to challenge the correctness of the assertion or the notoriety or repute of the cited reference. Applicants have not been provided with the citation to any reference supporting the combination made in the rejection. The rejection, therefore, fails to

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provide the Applicants with a fair opportunity to respond to the rejection, and fails to provide the Applicants with the opportunity to challenge the correctness of the rejection.

Further, and to the extent understood, Koether does not describe nor suggest the claimed combination. Specifically, Claim 2 depends from Claim 1 which recites a method of performing service diagnostics on appliances, wherein the method includes "connecting a diagnostic interface within a building housing the appliance to a local area appliance network, wherein the diagnostic interface includes a display...accessing an appliance in the local area appliance network... performing service diagnosis of the appliance through said diagnostic interface over the local area appliance network using service functions in the appliance."

Koether does not describe or suggest a method of performing service diagnostics on appliances as recited in Claim 1. More particularly, Koether does not describe or suggest a method including connecting a diagnostic interface within a building housing an appliance to a local area appliance network, wherein the diagnostic interface includes a display. Rather, Koether describes a communication network which provides remote communication between a control center and respective appliances through a base station that is located locally with respect to the appliances. Accordingly, for at least the reasons above, Claim 1 is submitted to be patentable over Koether.

Claim 2 depends from the independent Claim 1. When the recitations of Claim 2 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 2 likewise is patentable over Koether.

Claim 12 recites a diagnostic interface for performing service diagnostics on appliances, the diagnostic interface including "a display for viewing diagnostic and service information...processing circuitry for generating service commands for an appliance...a power line carrier communication interface configured to be connected to a local area appliance network within a building housing the appliance, wherein said power line carrier communication

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interface facilitates transmitting the service commands to the appliance and receiving appliance diagnostic results on a power line carrier communication system."

Koether does not describe or suggest a diagnostic interface for performing service diagnostics on appliances as recited in Claim 12. More specifically, Koether does not describe or suggest a power line carrier communication interface configured to be connected to a local area appliance network within a building housing an appliance, wherein the power line carrier communication interface facilitates transmitting service commands to the appliance and receiving appliance diagnostic results on a power line carrier communication system. Rather, Koether describes a communication network which provides remote communication between a control center and respective appliances through a base station that is located locally with respect to the appliances. Accordingly, for at least the reasons above, Claim 12 is submitted to be patentable over Koether.

Claims 13-21 depend from the independent Claim 12. When the recitations of Claims 13-21 are considered in combination with the recitations of Claim 12, Applicants submit that dependent Claims 13-21 likewise are patentable over Koether.

Claim 22 recites a diagnostic system for providing access to service diagnostics on an appliance, wherein the system includes "a local area appliance network coupled to the appliance...a diagnostic interface configured to be connected to said local area appliance network within a building housing the appliance, said diagnostic interface comprising a display, wherein said diagnostic interface facilitates accepting service diagnostics commands destined for the appliance...a dedicated appliance controller for receiving and executing the diagnostics commands."

Koether does not describe or suggest a diagnostic system for providing access to service diagnostics on an appliance as recited in Claim 22. More specifically, Koether does not describe or suggest a diagnostic interface configured to be connected to a local area appliance network

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within a building housing an appliance. Moreover, Koether does not describe or suggest a diagnostic interface including a display, wherein the diagnostic interface facilitates accepting service diagnostics commands destined for the appliance. Rather, Koether describes a communication network which provides remote communication between a control center and respective appliances, and does not describe or suggest a diagnostic interface configured to be connected to a local area appliance network within a building housing the appliance. Moreover, Koether does not describe or suggest a diagnostic interface including a display. Accordingly, for at least the reasons above, Claim 22 is submitted to be patentable over Koether.

Claims 23, 25, and 29 depend from the independent Claim 22. When the recitations of Claims 23, 25, and 29 are considered in combination with the recitations of Claim 22, Applicants submit that dependent Claims 23, 25, and 29 likewise are patentable over Koether.

For at least the reasons set forth above, Applicants respectfully request that the 103 rejection of Claims 2, 12-21, 23, 25, and 29 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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